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18 UNITED STATES DISTRICT COURT

19 DISTRICT OF NEVADA

20 KAREN McDONNELL,) Case No: 2:22-cv-00425-JCM-VCF
21 Plaintiff,)
22 vs.)
23 CLARK COUNTY,)
24 Defendant.)

) **[PROPOSED] STIPULATION AND
ORDER TO EXTEND DISCOVERY
DEADLINES (FOURTH REQUEST)**

25 IT IS HEREBY STIPULATED AND AGREED between the parties that the discovery
26 cut-off date of June 7, 2023, be extended up to and including July 10, 2023, for the purpose of
27 allowing the parties to complete discovery.

28 **I. DISCOVERY COMPLETED TO DATE**

29 (1) The parties have exchanged their initial Rule 26 Disclosures;
30 (2) Defendant Clark County served its First Supplemental disclosure on or about July
31 18, 2022;
32 (3) Plaintiff Karen McDonnell served Defendant Clark County with written discovery

1 on or about November 15, 2022;

2 (4) Defendant Clark County responded to Plaintiff's written discovery on or about
3 January 17, 2023;

4 (5) Defendant Clark County served Plaintiff Karen McDonnell with written discovery
5 on or about February 22, 2023;

6 (6) Defendant Clark County served its Second Supplemental disclosure on or about
7 February 22, 2023;

8 (7) Plaintiff responded to Defendant's Request for Admission on March 31, 2023,
9 Request for Production of Documents on April 12, 2023, and Interrogatories on
10 April 19, 2023;

11 (8) Defendant Clark County served its Third Supplemental disclosure on or about April
12 20, 2023; and

13 (9) Defendant Clark County conducted the deposition of Plaintiff Karen McDonnell on
14 April 26, 2023.

15 **II. DISCOVERY YET TO BE COMPLETED**

16 (1) Plaintiff Karen McDonnell will conduct the deposition of Kevin Schiller;

17 (2) Depositions of any other witnesses garnered through discovery; and

18 (3) Disclosure of any additional documents and/or witnesses garnered through
19 discovery.

20 **III. REASONS WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

21 The parties affirm, pursuant to Local Rule 26-3, that good cause exists for the requested
22 extension. This stipulation is not submitted for any improper purpose or to unnecessarily delay
23 the proceedings, the parties submit that good cause exists to grant the extension of the
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1 discovery deadlines as outlined below. This is the parties' fourth request to extend deadlines.

2 Counsel have been working collegially to move this matter forward. The parties have
3 been diligent in moving the case forward by participating in a reasonable amount of discovery.
4 One of the remaining items of discovery is the deposition of percipient witness, Kevin Schiller.
5 Mr. Schiller currently holds the position of Clark County Manager. As such, he is fully
6 immersed in the current state legislative session, including traveling to Carson City, Nevada
7 to conduct legislative business on behalf of Clark County. Due to the unpredictability
8 associated with legislative business, Mr. Schiller is unable to commit to a date certain for his
9 deposition until after the legislative session concludes.¹ Therefore, Mr. Schiller is not
10 available for his deposition until after the current discovery deadline.
11

12 Further, the parties are also sincerely resuming settlement discussions in hopes of
13 resolving this matter without further Court intervention.
14

15 **IV. EXTENSION OR MODIFICATION OF THE DISCOVERY PLAN AND**
16 **SCHEDULING ORDER**

17 LR 26-3 governs modifications or extension of the Discovery Plan and Scheduling
18 Order. This is the fourth request for an extension of time in this matter. The parties
19 respectfully submit that the reasons set forth above constitute compelling reasons for this short
20 extension.
21

22 **V. PROPOSED EXTENDED DEADLINES**

23 The current discovery cut-off date of June 7, 2023 should be extended up to and
24 including July 10, 2023. The parties respectfully request this Court enter an order as follows:
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28 ¹ Mr. Schiller's deposition was scheduled to take place on May 31, 2023, but he is no longer available on that date due to
legislative business scheduled beyond his control. The parties are working to determine the soonest date to conduct Mr.
Schiller's deposition.

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	June 7, 2023	<i>July 10, 2023</i>
Dispositive Motions	July 10, 2023	<i>August 9, 2023</i>
Joint Pretrial Order	August 9, 2023	<i>September 8, 2023</i> <i>If dispositive motions are pending, then the parties will serve their Joint Pretrial Order within thirty days of the Court's order as to the parties' dispositive motions.</i>

DATED this 31st day of May, 2023.

STEVEN B. WOLFSON
DISTRICT ATTORNEY

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DATED this 31st day of May, 2023.

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ORDER

The discovery dates are amended as follows:

Scheduled Event	Deadline
Discovery Cut-off	<i>July 10, 2023</i>
Dispositive Motions	<i>August 9, 2023</i>
Joint Pretrial Order	<i>September 8, 2023</i> <i>If dispositive motions are pending, then the parties will serve their Joint Pretrial Order within thirty days of the Court's order as to the parties' dispositive motions.</i>

IT IS SO ORDERED:



UNITED STATES MAGISTRATE JUDGE

5-31-2023

Dated: _____